THE HON'BLE Ms. JUSTICE G. ROHINI

WRIT PETITION NO.2253 OF 2006

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DATED : 21ST MARCH, 2006

Between:

K. Samsree Reddy s … Petitioner

And

1. The Superintending Engineer,
   Operation, APCPDCL, Anantapur
   and another. … Respondents

THE HON'BLE Ms. JUSTICE G. ROHINI

WRIT PETITION NO.2253 OF 2006

ORDER :

This writ petition is filed seeking a declaration that the Tender Notice

No.19/2005-06 issued by the 1st respondent herein as arbitrary and illegal.

Under the impugned Tender Notice, the 1st respondent invited sealed tenders for operation and maintenance of 33/11 KV Sub-station in Operation Circle, Anantapur from the valid registered contractors having experience in similar works. The petitioner challenges the said tender notice mainly on the ground that the tender notice is not specific and does not contain the relevant details. It is pleaded that there are no details with regard to the labour pattern like skilled workers, unskilled labour, semiskilled labour, monthly minimum wages, monthly administrative charges etc. and therefore the bidders willing to participate will not be in a position to offer the appropriate bids and there is also every likelihood of the successful bidders being penalized by the authorities for the violation of the Labour Laws.

I have heard the learned Counsel for both the parties and perused the material on record particularly the Tender Notice No.19/2005-06.

It is relevant to note that the bid document in respect of the impugned Tender Notice contains detailed terms and conditions in which it was explained that the tenders were invited for carrying out operation of the Sub-stations round the clock and maintenance including watch and ward at the respective Sub-station during the prescribed period. That apart, the number of Sub-stations available for each sub-division have also been specified. In the circumstances, basing on the nature of the work i.e., the operation of Sub-stations round the clock, as well as maintenance including watch and ward it is for the intending bidders to estimate the labour pattern which includes skilled and unskilled. Hence, merely because the impugned tender notice was silent about the labour pattern, I am unable to hold that the tender notice being vague is arbitrary or illegal.

Moreover, as can be seen from the counter-affidavit filed on behalf of the respondents, the petitioner is an existing contractor. The said fact has not been disputed by the petitioner. Hence, the plea that because of the ambiguity in the tender notice the petitioner was prevented from participating appears to be not

genuine.

The Writ Petition is devoid of any merit and the same is accordingly dismissed. No costs.

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G. ROHINI, J.

Dt. 21-03-2006.

GBS